

HEARING DATE: THURSDAY, JANUARY 6, 2022  
HEARING TIME: 9:30 A.M.  
LOCATION: SEATTLE, COURTROOM 7106  
RESPONSES DUE: THURSDAY, DECEMBER 30, 2021

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF WASHINGTON

In re

FISHING VESSEL OWNERS MARINE WAYS,  
INC.,

Debtor.

Lead Case No. 19-13502

(Jointly Administered with Case No. 19-  
13504)

In re

SEATTLE MACHINE WORKS

Debtor.

MOTION FOR ORDER CLOSING  
BANKRUPTCY CASES

Fishing Vessel Owners Marine Ways, Inc. and Seattle Machine Works (each, a “Debtor” and together, the “Debtors”) move the Court on an ex parte basis for an order closing their jointly administered bankruptcy cases (each, a “Bankruptcy Case” and together, the “Bankruptcy Cases”) pursuant to Bankruptcy Code<sup>1</sup> § 350.

<sup>1</sup> References to the Bankruptcy Code herein refer to 11 U.S.C. § 101 *et seq.*

1 Bankruptcy Code § 350(a) provides that “[a]fter an estate is fully administered and the court  
2 has discharged the trustee, the court shall close the case. *Id.* The Advisory Committee Notes to  
3 Federal Rule of Bankruptcy Procedure 3022 provide that

4 [f]actors that the court should consider in determining whether the estate has been  
5 fully administered include (1) whether the order confirming plan has become final, (2)  
6 whether deposits required by the plan have been distributed, (3) whether the property  
7 proposed by the plan to be transferred has been transferred, (4) whether the debtor or  
8 the successor of the debtor under the plan has assumed the business or the management  
of the property dealt with by the plan, (5) whether payments under the plan have  
commenced, and (6) whether all motions, contested matters, and adversary proceedings  
have been finally resolved.

9 The Debtors’ plan of reorganization was confirmed on September 28, 2020 and no appeal was  
10 taken. Docket No. 243. No deposits were required to be distributed under the plan. Docket Nos. 216  
11 and 243. The plan did not propose to transfer property. Docket Nos. 216 and 243. Post-confirmation,  
12 the Debtors continued the business and management of the property dealt with by the Plan, although  
13 operations have since ceased. *See* Docket No. 257. Plan payments commenced. *Id.* As reflected by  
14 the Bankruptcy Case docket, all motions, contested matters and adversary proceedings have been  
15 finally resolved.

16 Based upon the foregoing, the Debtors respectfully requests that the Court enter an order  
17 closing their Bankruptcy Cases.

18 DATED this 16<sup>th</sup> day of December, 2021.

19 BUSH KORNFELD LLP

20 By/s/ Christine M. Tobin-Presser  
21 Christine M. Tobin-Presser, WSBA #27628  
22 James L. Day, WSBA #20474  
23 Attorneys for Reorganized Debtors